UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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SIDNEY MORSE AND JAY VENABLE, :
Petitioners, :

USDC SDNY
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DATE FILED: 01/03/20

1:19-cv-06711-GHW

<u>Order</u>

DAVID A. LEVINE,

Respondent. : ------Σ

GREGORY H. WOODS, United States District Judge:

On December 19, 2019, Magistrate Judge Netburn issued a Report and Recommendation recommending that Petitioners' motion to compel arbitration be granted, Respondent's motion to dismiss be denied, Petitioners' motion to compel Respondent to pay the fees associated with arbitration be denied, and Petitioners' motion for fees connected with this proceeding be denied. Dkt. No. 27. Objections to the Report and Recommendation were due on January 2, 2020. To date, the Court has received no objections.

The Court has reviewed the Report and Recommendation for clear error and finds none. *See Braunstein v. Barber*, No. 06 Civ. 5978 (CS) (GAY), 2009 WL 1542707, at *1 (S.D.N.Y. June 2, 2009) (explaining that a "district court may adopt those portions of a report and recommendation to which no objections have been made, as long as no clear error is apparent from the face of the record"). Accordingly, the Court accepts and adopts the thorough and well-reasoned Report and Recommendation in its entirety. Petitioners' motion to compel arbitration is granted, Respondent's motion to dismiss is denied, Petitioners' motion to compel Respondent to pay the fees associated with arbitration is denied, and Petitioners' motion for fees connected with this proceeding is denied.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 16 and 19, to enter judgment for Petitioners, and to close this case.

SO ORDERED.

Dated: January 3, 2020 New York, New York

United States District Judge